



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/806,135

03/23/2004

L. Lloyd Williams

9-16310-76US

1962

20988 7590 03/03/2009
OGILVY RENAULT LLP
1981 MCGILL COLLEGE AVENUE
SUITE 1600
MONTREAL, QC H3A2Y3
CANADA

EXAMINER

NGUYEN, KHAI N

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

03/03/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/806,135	Applicant(s) WILLIAMS ET AL.	
	Examiner KHAI N. NGUYEN	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-16 and 26-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-16 and 26-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on November 18, 2008 has been entered. Claims **1**, 5, 10, 12, **26**, 29, and 33-34 have been amended. Claims 4 and 17-25 have been canceled. No claims have been added. Claims **1**-3, 5-16 and **26**-38 are still pending in this application, with claims **1** and **26** being independent.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 3, 5-12, 14-16, 26, 28-36, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parikh et al. (U.S. Patent Number 6,408,177 hereinafter "Parikh") in view of Williams et al. (U.S. Publication Number 2004/0013255 A1 hereinafter "Williams").

Regarding claims 1, 26, and 29, Parikh teaches a method for providing an inbound call service and /or providing single number service to a public switched telephone network (PSTN) service subscriber (Fig. 3, 134 PSTN, 106 Subscriber), the method comprising:

receiving a call initiation message at a call service node (CSN), the call initiation message being associated with a call directed to a service subscriber (Fig. 2, 100

Art Unit: 2614

Caller, 107 Subscriber, 110 Call Management System (CMS), 111 Short Message Service Center (SMSC) – col. 3 lines 47-58, and Fig. 4 – Primary Steps Performed by The System, i.e., “SMSC” call service node (CSN));

extracting a called number from the call initiation message, and identifying the service subscriber associated with the called number (col. 5, lines 12-17, i.e., the CLID portion of the call data identifies the caller, and called number portion of the call data identifies the subscriber, and Fig. 4, step 143, col. 7 lines 37-43), and using the called number in a query to retrieve a service subscriber profile that stores default information about how calls to the service subscriber are to be handled (Fig. 4, step 147 Default Call Handling, column 7, lines 53-55, i.e., the default call handling may be selectable by the subscriber reads on “a service subscriber profile that stores default information about how calls to the service subscriber are to be handled”);

issuing an inbound call notification message over a messaging network (Fig. 2, 111 SMSC “CSN”) to at least one messaging device operated by the service subscriber (Fig. 2, 106 Subscriber’s Telephone), the inbound call notification message providing information related to the inbound call and requesting that the service subscriber select a call treatment option for the inbound call (Fig. 2, col. 3 lines 51-58, i.e., displays menu of options “call treatment options” available to the subscriber on the phone’s display, Fig. 4, step 144, col. 7 lines 44-48, and Fig. 7b Call Treatment Option menu, col. 9 lines 10-12);

while waiting for a reply to the inbound call notification message, routing the call initiation message from the CSN (Figs. 2-3, 110 CMS, 111 SMSC) to forward the call

Art Unit: 2614

according to the service subscriber selected options (Fig. 3, 124 Inbound Call Management Application, 125 SMS “CSN” Application, 126 Call Setup Application, col. 5 lines 28-42);

receiving from the service subscriber a reply to the inbound call notification message indicating the call treatment option selected by the service subscriber in response to the inbound call notification message (Fig. 2, col. 3 lines 61-63, i.e., subscriber selects a menu option “call treatment”, Fig. 4, step 145, col. 7 lines 49-50, and Fig. 7b Menu Options for "call treatment", col. 9 lines 10-13);

controlling the call by sending a call release message from the CSN to release the call from the call parking facility (Fig. 3, 111 SMSC “CSN”, 124, 125, 126, col. 5 lines 35-38, i.e., instructs to forward the call); and

further controlling the call using call control messages sent from the CSN (Fig. 3, 111 SMSC “CSN”, 124, 125, 126) in accordance with the call treatment option selected by the service subscriber in response to the inbound call notification message (Fig. 3, col. 5 lines 35-42, Fig. 4, step 146, col. 7 lines 50-57, and Fig. 7b Menu Options for “call treatment”, col. 9 lines 10-13).

However, Parikh does not specifically disclose to forward the call to the call parking facility. Although Parikh teaches to forward the call to a forwarding number, an external voice mail system, play a “call rejected” message, and other options (Parikh – col. 5 lines 35-42).

In the same field of endeavor, Williams teaches an apparatus and a method for providing call treatments in a switched telephone network (Williams – Fig. 1, paragraph [0038]) with a call control node (CCN) sending call control messages to send calls to call parking facility, requesting that the parked call be forwarded, release the call and reconnect the call to the call termination resource (Williams – paragraphs [0022]-[0023]). The advantage of Williams' method is while the call is parked, the call treatment options can be performed (Williams – Abstract, paragraphs [0008]-[0011]).

It would have been obvious to a person of ordinary in the art at the time of the invention was made to apply a known technique to a known device (i.e., using call park feature for providing inbound/incoming call services in a communication network) ready for improvement to yield predictable results (see KSR – MPEP 2143). Therefore, it would have been obvious to a person of ordinary in the art to incorporate the use of the call park feature, as taught by Williams, into the method and system of Parikh in order to enhance the inbound/incoming call services in a communication network.

Regarding claims 3 and 28, Parikh teaches everything claimed as applied above (see claims 1 and 26 above), but Parikh does not specifically disclose the formulation of an Initial Address Message (IAM). However, Williams teaches the formulation of an IAM message upon receipt of the routing information containing a conversion number and a routing code (Williams – Figs. 2a-2b, Figs. 3-6, Table 1, paragraph [0040] lines 15-23, and paragraph [0041]) such that it would have been obvious to a person of

Art Unit: 2614

ordinary in the art at the time of the invention to apply a known technique to a known device (i.e., using IAM message for providing inbound/incoming call services in a communication network) ready for improvement to yield predictable results (see KSR – MPEP 2143). Therefore, it would have been obvious to a person of ordinary in the art to incorporate the use of the IAM message, as taught by Williams, into the method and system of Parikh in order to enhance the inbound/incoming call services in a communication network.

Regarding claims 5 and 30, Parikh teaches the method wherein issuing an inbound call notification message comprises:

examining the service subscriber profile to identify at least one messaging network address specified by the service subscriber (Fig. 3, 124 Inbound Call Management Application, col. 5 lines 12-16); and

formulating and sending an inbound call notification message to each messaging network address specified in the service subscriber profile, a format of each inbound call notification message being determined by characteristics of the messaging network through which the inbound call notification message is sent, and each inbound call notification message containing a list of the directory numbers associated with the service subscriber (Fig. 4, 125 SMS Application, col. 5 lines 28-35, and col. 7 lines 19-25).

Regarding claims 6-7 and 32-33, Parikh teaches the method wherein routing the call comprises forwarding the call to an announcement player that requests that the caller wait while the call is being processed (Fig. 3, 110 Call Management System, col. 4 lines 27-29, i.e., plays a message asking the caller to hold the call while the call is being processed); and wherein routing the call comprises routing the call to a voice mail box (Fig. 3, 126 Call Setup Application, col. 5 lines 38-39).

However, Parikh does not specifically disclose to route the call to the call parking facility. Although Parikh teaches to forward the call to a forwarding number, an external voice mail system, play a “call rejected” message, and other options (Parikh – column 5 lines 35-42). However, Williams teaches to send call control messages to send calls to call parking facility, requesting that the parked call be forwarded, release the call and reconnect the call to the call termination resource (Williams – paragraphs [0022]-[0023]) such that it would have been obvious to a person of ordinary in the art at the time of the invention was made to apply a known technique to a known device (i.e., routing the call to a call parking facility, forwarding the parked call to an announcement player and routing the call to a voice mail system) ready for improvement to yield predictable results (see KSR – MPEP 2143). Therefore, it would have been obvious to a person of ordinary in the art to incorporate the use of the call park feature, as taught by Williams, into the method and system of Parikh in order to enhance the inbound/incoming call services in a communication network.

Regarding claims 8-9, Parikh teaches the method wherein the reply received from the service subscriber requests voice mail monitoring (Fig. 3, 128 Voice Mail Application) and the method further comprises:

activating a trunk monitor connected to a trunk facility through which the call is routed (col. 6 lines 45-48, i.e., dedicated trunk line); converting monitored content into a format compatible with a one of the at least one client device from which the reply was received (Fig. 3, 124, 125, 128, 135, 136, col. 5 lines 17-27); and

forwarding the converted monitored content to the client device from which the reply was received, to permit the service subscriber to listen to the voice mail message in real time (Figs. 2-3, col. 4 lines 4-6, i.e., eavesdrop on the voicemail "monitored", and potentially pick up the call "listen in real time"); and

wherein converting monitored content comprises converting pulse code modulated data to a streaming audio format (Fig. 3, 135 Mass Storage for Voicemail, col. 4 lines 47-49, i.e., compressed audio data).

Regarding claims 10 and 34, Parikh teaches the method wherein routing the call initiation message from the CSN to route the call (Fig. 2, 100, 107, 110 CMS, 111 SMSC, col. 3 lines 47-58), comprises:

extracting the called number or the conversion number from the call initiation message and using the called number or the conversion number in a query to retrieve the service subscriber profile (Fig. 3, 124 Inbound Call Management, col. 5 lines 12-13, and Fig. 4, step 147 Default Call Handling, column 7, lines 53-55, i.e., the default call

Art Unit: 2614

handling may be selectable by the subscriber reads on “the service subscriber profile” that stores default information about how calls to the service subscriber are to be handled);

extracting a calling party number from the call initiation message (Fig. 3, 124, col. 5 lines 14-15, i.e., CLID of the caller “calling number”);

searching the caller profile to determine whether the calling party number is associated with a specific voice mail box to which the call is to be forwarded (Fig. 3, 124, col. 5 lines 36-39, i.e., forward the call to a forwarding number or a voicemail system) ; and

if the calling party number is associated with a specific voice mail box, routing the call initiation message from the CSN to forward the inbound call to the specific voice mail box, otherwise routing the call initiation message from the CSN to forward the call to one of an announcement player and a default voice mail box specified in the service subscriber profile (Fig.3, 124, 126, 128, 136, col. 5 lines 35-42).

However, Parikh does not specifically disclose the call parking facility. Although Parikh teaches to forward the call to a forwarding number, an external voice mail system, play a “call rejected” message, and other options (Parikh – column 5 lines 35-42). However, Williams teaches to send call control messages to send calls to call parking facility, requesting that the parked call be forwarded, release the call and reconnect the call to the call termination resource (Williams – paragraphs [0022]-[0023]) such that it would have been obvious to a person of ordinary in the art at the time of the

Art Unit: 2614

invention was made to apply a known technique to a known device (i.e., routing the call to a call parking facility, forwarding the parked call to an announcement player and routing the call to a voice mail system) ready for improvement to yield predictable results (see KSR – MPEP 2143). Therefore, it would have been obvious to a person of ordinary in the art to incorporate the use of the call park feature, as taught by Williams, into the method and system of Parikh in order to enhance the inbound/incoming call services in a communication network.

Regarding claims 11 and 35, Parikh teaches the method wherein routing the call initiation message from the CSN to forward the call (Fig. 2, 100, 107, 110 CMS, 111 SMSC, col. 3 lines 47-58) to the voice mail box comprises modifying the call initiation message by inserting an address of the voice mail box into a called number field of the call initiation message, and inserting a subscriber telephone number associated with the voice mail box in a redirecting number field of the call initiation message, if the subscriber telephone number associated with the voice mail box is different from the dialed telephone number in the original called number field of the call initiation message (Fig. 3, 126 Call Setup Application, col. 6 lines 60-67, and col. 7 lines 1-9, i.e., redirecting number in the setup message is set equal to the number dialed by the caller, e.g., the subscriber's public (directory) telephone number).

Regarding claim 12, Parikh teaches the method wherein controlling the call using call control messages sent from the CSN in accordance with the call treatment option

Art Unit: 2614

selected by the service subscriber in response to the inbound call notification message comprises reconnecting the call to a telephone number specified in the reply, if the reply is received before a predetermined period of time lapses, and applying a default call treatment option specified in the service subscriber profile if the reply is not received before the predetermined period of time lapses (Fig. 4, steps 143-147, col. 7 lines 36-57).

Regarding claim 14, Parikh teaches the method wherein the default call treatment option is forwarding the call to a voice mail box (Fig. 4, step 147, col. 7 lines 52-53, i.e., transferring the call to voicemail).

Regarding claim 15, Parikh teaches the method wherein reconnecting the call to a telephone number specified in the reply comprises one of: reconnecting the call to a directory number specified in the service subscriber profile; reconnecting the call to a service-subscriber-selected one of a plurality of telephone numbers specified in the service subscriber profile; and, reconnecting the call to a telephone number supplied by the service subscriber in the reply to the inbound call notification message (Fig. 3, 126, col. 5 lines 60-67, and col. 5 lines 53-57).

Regarding claims 16 and 38, Parikh teaches the method further comprising storing a number of a calling party that initiated the inbound call so that if the reply to the inbound call notification is received after the calling party has terminated the inbound

call, the CSN can use information in the reply, and the stored number of the calling party, to send call control messages from the CSN to automatically establish a call between the service subscriber and the calling party (Fig. 2, Fig. 7b, Menu Option 8 Request Callback Number, col. 4 lines 30-37, col. 5 lines 1-10, i.e., calling party CLID).

Regarding claim 31, Parikh teaches the method as claimed further comprising formulating the inbound call notification message to include an option to permit the service subscriber to specify a directory number that is different from the plurality of directory numbers in the service subscriber profile (Fig. 7b, Menu Option 5 Forward Call to Another Number, col. 5 lines 66-67, and col. 6 lines 1-5, forward to an unknown number keyed in by the subscriber).

Regarding claim 36, Parikh teaches the method wherein further controlling the call using call control messages sent from the CSN comprises sending a call release message to release the call and sending a call control message from the CSN to forward the call to the directory number specified in the reply, if the reply is received before a predetermined period of time lapses, and sending a call control message from the CSN to forward the call to a service subscriber directory number specified in the service subscriber profile if the reply is not received before the predetermined period of time lapses (Fig. 4, steps 143-147, col. 7 lines 36-57).

Parikh does not specifically disclose the call parking facility. Although Parikh teaches to forward the call to a forwarding number, an external voice mail system, play

Art Unit: 2614

a “call rejected” message, and other options (Parikh – col. 5 lines 35-42). However, Williams teaches to send call control messages to send calls to call parking facility, requesting that the parked call be forwarded, release the call and reconnect the call to the call termination resource (Williams – paragraphs [0022]-[0023]) such that it would have been obvious to a person of ordinary in the art at the time of the invention was made to apply a known technique to a known device (i.e., routing the call to a call parking facility, forwarding the parked call to an announcement player and routing the call to a voice mail system) ready for improvement to yield predictable results (see KSR – MPEP 2143). Therefore, it would have been obvious to a person of ordinary in the art to incorporate the use of the call park feature, as taught by Williams, into the method and system of Parikh in order to enhance the inbound/incoming call services in a communication network

4. Claims 2 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parikh in view of Williams, and in view of Williams et al. (U.S. Patent Number 6,097, 801 hereinafter “Williams’801”).

Regarding claims 2 and 27, Parikh and Williams disclose everything claimed as applied above (See claims 1 and 26).

In addition, Parikh teaches the method wherein prior to receiving the call initiation message at the CSN (Fig. 3, 110, 111), the method further comprise steps of:

receiving a dialed number at a service switching point (Fig. 3, 134 PSTN, col. 4 lines 58-59, i.e., (AIN) Advanced Intelligent Network) that serves a calling party that initiated the inbound call (Fig. 3, col. 4 lines 50-52, i.e., calls are directed from PSTN);

translating the dialed number and determining that the dialed number is a ported number (Fig. 3, 106, col. 4 lines 55-63, i.e., home location register (HLR) of wireless telephone network);

querying a service control point for routing instructions for completing the call to the dialed number (Fig. 3, 124, 126, col. 5 lines 12-21); and

formulating the call initiation message in response to receipt of the routing instructions from the service control point (Fig. 3, 125, col. 5 lines 28-30).

However, Parikh and Williams do not specifically disclose the local ported number in accordance with a Local Number Portability (LNP) deployment. In the same field of endeavor, Williams'801 teaches the ported number in accordance with the LNP (Williams'801 – Figs. 2-5, col. 2 lines 34-60, and col. 4 lines 1-56). The advantage of Williams'801 is to provide a mechanism for the deployment of LNP to eliminate the high costs and time delays associated with queries of a remote database (Williams'801 – col. 3 lines 59-62).

It would have been obvious to a person of ordinary in the art at the time of the invention was made to apply a known technique to a known device (i.e., using the ported number in accordance to the LNP deployment for providing inbound/incoming call services in a communication network) ready for improvement to yield predictable results (see KSR – MPEP 2143). Therefore, it would have been obvious to a person of

Art Unit: 2614

ordinary in the art to incorporate the use of the LNP deployment, as taught by Williams'801, into the method and system of Parikh in order to enhance the inbound/incoming call services in a communication network.

5. Claims 13 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parikh in view of Williams, and in view of Bannister et al. (U.S. patent Number 5,668,862 hereinafter "Bannister").

Regarding claims 13 and 37, Parikh and Williams disclose everything claimed as applied above (See claims 1 and 26).

In addition, Parikh teaches the method wherein the default call treatment option and the service subscriber directory number is determined by a time of day and day of week (col. 9 lines 40-43, see also claims 12 and 36).

Parikh does not specifically disclose the time and day for call treatment option and the service subscriber directory number.

However, Bannister teaches a method for providing the subscriber to control the call management service, and more particularly, to a method for providing the service subscriber in handling incoming calls (Bannister – col.1 lines 10-13). The subscriber's profile (i.e., call treatment options and directory numbers) is used to route the call according where the subscriber is expected to be at that time and day (Bannister – col. 1, lines 27-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of time and date to be used for the subscriber call treatment options and directory number, as taught by Bannister, into the Parikh method in order to improve the method and enhance the service subscriber with more flexibility in handling incoming calls.

Response to Arguments

6. Applicant's arguments filed July 28, 2008 have been fully considered but they are not persuasive.

In response to Applicants' argument that the reference does not teach or reasonably suggest the functionality upon which the Examiner relies for the rejection. The Examiner first emphasizes for the record that the claims employ a broader scope than Applicants' disclosure in all aspects. In addition, the Applicant has not argued any narrower interpretation of the claim limitations, nor amended the claims significantly enough to construe a narrower meaning to the limitations. Since the claims breadth allows multiple interpretations and meanings, which are broader than Applicant's disclosure, the Examiner is required to interpret the claims' limitations in terms of their broadest reasonable interpretations while determining patentability of the disclosed invention. See MPEP 2111. In other words, the claims must be given their broadest reasonable interpretation consistent with the specification and the interpretation that those skilled in the art would reach. See *In re Hyatt*, 211 F.3d 1367, 1372, 54 USPQ2d

Art Unit: 2614

1664, 1667 (Fed. Cir. 2000), *In re Cortright*, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999), and *In re American Academy of Science Tech Center*, 2004 WL 1067528 (Fed. Cir. May 13, 2004). Any term that is not clearly defined in the specification must be given its plain meaning as understood by one of ordinary skill in the art. See MPEP 2111.01. See also *In re Zletz*, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989), *Sunrace Roots Enter Co. v. SRAM Corp.*, 336 F.3d 1298, 1302, 67 USPQ2d 1438, 1441 (Fed. Cir. 2003), *Brookhill- Wilk 1, LLC v. Intuitive Surgical, Inc.*, 334 F.3d 1294, 1298 67 USPQ2d 1132, 1136 (Fed. Cir.2003). The interpretation of the claims by their broadest reasonable interpretation reduces the possibility that, once the claims are issued, the claims are interpreted more broadly than justified. See *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). Also, limitations appearing in the specification but not recited in the claim are not read into the claim. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir.1993). Therefore, the failure to significantly narrow definition or scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims in parallel to the Applicant in the response and reiterates the need for the Applicant to distinctly define the claimed invention.

Regarding independent claims 1 and 26, Applicants argue that claims 1 and 26 are further amended to include the limitation “a service subscriber profile that stores default information about how calls” are to be handled, and “neither Parikh nor Williams

Art Unit: 2614

teaches or suggest the use of a subscriber profile" (see Applicants' Remarks/Arguments page 13, lines 9-12).

The Examiner respectfully disagrees. First, Applicants Remarks/Arguments concede that Parikh teaches the default call handling (see Applicants' Remarks/Arguments page 12, lines 24-25).

Second, it is abundantly clear throughout the reference that Parikh teaches the call handling for each individual subscriber, and thus each individual subscriber must have his/her own subscriber information about how calls are to be handled. And it is old and well known in the art that the subscriber information is frequently referred to as subscriber profile.

Third, Parikh clearly teaches that the subscriber can select his/her own default call handling "- - - default handling may be set for all subscribers - - -, or may be selectable by the subscriber" (see Parikh – Fig. 4, step 147 Default Call Handling, column 7, lines 53-55).

And therefore, the rejection of independent claims 1, 26, and their dependent claims 3, 5-12, 14-16, 28-36, and 38 as being unpatentable over Parikh in view of Williams is proper and maintainable, claims 2 and 27 as being unpatentable over Parikh in view of Williams, and in view of Williams'801 is proper and maintainable, and claims 13 and 37 as being unpatentable over Parikh in view of Williams, and in view of Bannister is proper and maintainable.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI N. NGUYEN whose telephone number is (571)270-3141. The examiner can normally be reached on Monday - Thursday 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. N. N./
Examiner, Art Unit 2614
2/27/2009

/Ahmad F Matar/
Supervisory Patent Examiner, Art Unit 2614